

Application No. 10/787,090

IN THE DRAWINGS:

Enclosed are new formal drawings of Figs. 1, 2, 3, 6, and 7, accompanied by a LETTER TO THE OFFICIAL DRAFTSPERSON. In Figs. 1, 2, 3, 6, and 7, the character "A" has been changed to --1A--, --2A--, --3A--, --6A--, and --7A--, respectively.

REMARKS

Claim Rejections

Claims 1-3 and 6-9 are rejected under 35 U.S.C. § 102(b) as being anticipated by Ko (US Pub. 2002/0179130).

Amendments to Specification

Applicant has amended the Specification as noted above to provide a title more descriptive of the claimed invention and to provide proper antecedent basis in the specification for the reference character "28". It is believed that the foregoing amendments to the Specification overcome the outstanding objections thereto. No "new matter" has been added to the original disclosure by the foregoing amendments to the Specification.

Abstract of the Disclosure

Applicant is submitting a substitute Abstract of the Disclosure for that originally filed with this application to more clearly describe the claimed invention. Entry of the Substitute Abstract of the Disclosure is respectfully requested.

Drawings

The Examiner has objected to the drawings under 37 C.F.R. § 1.84(p)(4) because the reference character "28" was not mentioned in the specification. The specification, page 3, has been changed to read --a bottom portion 28 of the runner 23.-- thereby obviating the outstanding objection set forth in the outstanding Office Action.

Applicant has amended Figs. 1, 2, 3, 6, and 7, as illustrated on the attached formal drawings, accompanied by a LETTER TO THE OFFICIAL DRAFTSPERSON. Figs. 1, 2, 3, 6, and 7 have been amended to change character "A" to read --1A--, --2A--, --3A--, --6A--, and --7A--, respectively. No "new matter" has been added to the original disclosure by the amendments to these figures. It is believed the foregoing proposed amendments obviate the outstanding objections to the drawings. Entry of the corrected drawings is respectfully requested.

New Claims

By this Amendment, Applicant has canceled claims 1-4 and has added new claims 5-8 to this application. It is believed that the new claims specifically set forth each element of Applicant's invention in full compliance with 35 U.S.C. § 112, and define subject matter that is patentably distinguishable over the cited prior art.

The new claims are directed toward a locking assembly for an umbrella comprising: a multi-sectional shaft (32); a notch (33) located on a top of the multi-sectional shaft and having an extension section (37) protruding downwardly and having a length surrounding an exterior of the multi-sectional shaft; a plurality of ribs (35) pivotally connected to an outer periphery of the notch and movable between open and closed positions, the plurality of ribs supporting a cover of the umbrella; a protrusion section (38) having: a first end connected to the extension section; two opposing sides spaced apart from the extension section by gaps (39) formed there between; and a supporting plane (381) located on a second end thereof; a runner (34) slidably located on the extension section; and a plurality of stretchers (36), one of the plurality of stretchers is connected between the runner and each of plurality of ribs, wherein, when the ribs are located in the open position, the runner is located between the notch and the protrusion section, the plurality of stretchers supporting the plurality of ribs, the supporting plane engaging a lower section of the runner and holding the runner in a predetermined position, and, when the ribs are located in the closed position, the runner is located below the protrusion section, the plurality of stretchers supporting the plurality of ribs, the supporting plane holding the runner in a predetermined position.

Other embodiments of the present invention include: the protrusion section and the extension section are integrally formed; the protrusion section is made as a fastening button; and the notch has a slot (341) and the extension section has a longitudinal protrusion (371) inserted into the notch, when the ribs are located in the open position.

The cited reference to Ko teaches a positioning structure having an upper jointer (2), a beam (3) connected to the upper jointer and having a protrusion (31), a runner (1) slidable on a shaft (4) and having a hole (11) engaging the protrusion of the upper jointer.

Ko does not teach a notch having an extension section protruding downwardly and having a length surrounding an exterior of the multi-sectional shaft; a protrusion section having two opposing sides spaced apart from the extension section by gaps formed there between; a supporting plane located on a second end thereof; a runner slidably located on the extension section; nor does Ko teach a plurality of stretchers, one of the plurality of stretchers is connected between the runner and each of plurality of ribs.

It is axiomatic in U.S. patent law that, in order for a reference to anticipate a claimed structure, it must clearly disclose each and every feature of the claimed structure. Applicant submits that it is abundantly clear, as discussed above, that Ko does not disclose each and every feature of Applicant's new claims and, therefore, could not possibly anticipate these claims under 35 U.S.C. § 102. Absent a specific showing of these features, Ko cannot be said to anticipate any of Applicant's new claims under 35 U.S.C. § 102.

It is further submitted that Ko does not disclose, or suggest any modification of the specifically disclosed structures that would lead one having ordinary skill in the art to arrive at Applicant's claimed structure. Thus, it is not believed that Ko renders obvious any of Applicant's new claims under 35 U.S.C. § 103.

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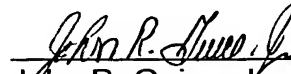
Summary

In view of the foregoing amendments and remarks, Applicant submits that this application is now in condition for allowance and such action is respectfully requested. Should any points remain in issue, which the Examiner feels could best be resolved by either a personal or a telephone interview, it is urged that Applicant's local attorney be contacted at the exchange listed below.

Respectfully submitted,

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By:


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